

### Remarks

The previously pending claims have been cancelled. New claims 16 - 33 have been added, and find full support in the specification as filed.

The Board has maintained the rejection of the claims over *Ishii*. The new claims have been formulated with *Ishii* and the Board's decision in mind. *Ishii* discloses a transfer suitable for manufacturing patterned vinyl flooring by coating a release-coated substrate with a foamable, fusible polymer, and optionally printing an ink design over the foamable fusible polymer.

The present invention is directed to the preparation of graphics-containing fabric garments by preparing a transfer by printing a design onto a substrate free of fusible polymer by supplying an ink-jet printer with a computer readable graphics file and printing the graphic image onto the substrate using fusible polymer ink. The transfer is then placed adjacent the garment and the image transferred by application of heat and pressure. By specifying that the substrate is free of fusible polymer, the fabric surrounding the applied image will have the same hand and feel as it did before the printing operation.

*Ishii* is directed to manufacture of vinyl flooring having a textured pattern. Each and every one of *Ishii*'s "transfers" contains a foamable (and therefore fusible) polymer pattern applied prior to printing the ink pattern. The foamable polymer fuses and foams when heated following application to the flooring substrate. *Ishii* discloses no fusible polymer ink except that which contains the blowing agent for producing the foamed pattern. However, such inks are very viscous due to the presence of the blowing agent. At column 4, lines 28 - 29, the foamable ink is taught to be of 500 to 7000 centipoise viscosity, far too viscous to be printed from an ink-jet printer.

Applicant finds absolutely no disclosure of any fusible polymer ink in any of the remaining disclosure of *Ishii*. Since Applicant's claims require their substrate to be free of fusible polymer prior to printing the graphics image and as *Ishii* teaches that a foamable

pattern must be laid down onto the substrate prior to printing his graphics image (4), the subject claims are clearly patentable over *Ishii*, whether alone or in combination with any other reference known to Applicant.

Further, as the only ink which contains a fusible polymer is *Ishii*'s foamable polymer ink, as *Ishii* does not teach or suggest using any other fusible polymer- containing ink, as *Ishii* is not directed to applying graphics to fabric garments or to any problems related thereto, and as *Ishii*'s only polymer ink is incapable of being printed by means of an ink-jet printer, one skilled in the art would be motivated by *Ishii* to produce a graphic suitable for application to fabric garments which graphic employs a fusible polymer ink printed from an ink-jet printer.

Applicant respectfully submits that the present claims are allowable, and respectfully requests a Notice to that effect.

Respectfully submitted,

**KYLE GLENN CROSS**

By 

William G. Conger

Reg. No. 31,209

Attorney/Agent for Applicant

Date: July 23, 2001

**BROOKS & KUSHMAN P.C.**

1000 Town Center, 22nd Floor

Southfield, MI 48075

Phone: 248-358-4400

Fax: 248-358-3351